



OFFICE OF THE POLICE COMMISSIONER
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September 14, 2016

Memorandum for: Deputy Commissioner, Trials

Re: **Police Officer Sean Inman**
Tax Registry No. 903141
79 Precinct
Disciplinary Case No. 2014-12067

The above named member of the service appeared before Assistant Deputy Commissioner Jeff S. Adler on April 18 and 26, 2016, and was charged with the following:

DISCIPLINARY CASE NO. 2014-12067

1. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, after having been directed by New York City Police Lieutenant Seth Lynch to provide his Department identification, failed to comply with said directive.

P.G. 203-03, Page 1, Paragraph 2

COMPLIANCE WITH ORDERS

2. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department to wit: said Police Officer consumed an intoxicant to the extent that said Police Officer was unfit for duty.

P.G. 203-04, Page 1, Paragraph 2

FITNESS FOR DUTY

3. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, did fail and neglect to properly safeguard his service firearm in that said Police Officer placed said firearm unsecured inside his bedroom which was unlocked.

P.G. 204-08, Page 2, Paragraph 7

**FIREARMS GENERAL
REGULATIONS**

4. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department to wit: said Police Officer had his service firearm unsecured inside his unlocked bedroom at his residence, allowing access to a juvenile present at his residence.

P.G. 203-10, Page 1, Paragraph 5

**PUBLIC CONTACT –
PROHIBITED CONDUCT**

5. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, failed to ensure that his service firearm contained sixteen (16) rounds as required.

P.G. 204-08, Page 2, Paragraphs 13

**FIREARMS GENERAL
REGULATIONS**

In a Memorandum dated June 7, 2016, Assistant Deputy Commissioner Jeff S. Adler found Police Officer Sean Inman Guilty of Specification Nos. 1, 2, 3, and 5, and Not Guilty of Specification No. 4 in Disciplinary Case No. 2014-12067. Having read the Memorandum and analyzed the facts of this matter, I approve the findings, but disapprove the penalty.

In consideration of the totality of the issues and circumstances in this matter I deem that a greater penalty is warranted. Therefore, Police Officer Inman's disciplinary penalty shall be the forfeiture of thirty (30) suspension days already served, the forfeiture of twenty (20) vacation days and one (1) year dismissal probation.


William J. Bratton
Police Commissioner

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2016 SEP 15 P 4: 15

ASST DEPUTY COMMISSIONER'S
OFFICE



POLICE DEPARTMENT CITY OF NEW YORK

June 7, 2016

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Sean Inman
Tax Registry No. 903141
79 Precinct
Disciplinary Case No. 2014-12067

Charges and Specifications:

1. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, after having been directed by New York City Police Lieutenant Seth Lynch to provide his Department identification, failed to comply with said directive.
P.G. 203-03, Page 1, Paragraph 2 - COMPLIANCE WITH ORDERS
2. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department to wit: said Police Officer consumed an intoxicant to the extent that said Police Officer was unfit for duty.
P.G. 203-04, Page 1, Paragraph 2 - FITNESS FOR DUTY
3. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, did fail and neglect to properly safeguard his service firearm in that said Police Officer placed said firearm unsecured inside his bedroom which was unlocked.
P.G. 204-08 Page 2, Paragraph 7 - FIREARM GENERAL REGULATIONS
4. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department to wit: said Police Officer had his service firearm unsecured inside his unlocked bedroom at his residence, allowing access to a juvenile present at the residence.
P.G. 203-10, Page 1, Paragraph 5 - PROHIBITED CONDUCT
5. Said Police Officer Sean Inman, assigned to the 79th Precinct, on or about July 4, 2014, while off-duty, failed to ensure that his service firearm contained sixteen (16) rounds as required.
P.G. 204-08, Page 2, Paragraph 13 - FIREARM GENERAL REGULATIONS

Appearances:

For the Department: Beth Douglas, Esq.
Department Advocate's Office
One Police Plaza
New York, NY 10038

For Respondent: John Tynan, Esq.
Worth, Longworth & London, LLP
111 John Street-Suite 640
New York, NY 10038

Hearing Dates:

April 18 & 26, 2016

Decision:

Specification 1: Guilty
Specification 2: Guilty
Specification 3: Guilty
Specification 4: Not Guilty
Specification 5: Guilty

Trial Commissioner:

ADCT Jeff S. Adler

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on April 18 and 26, 2016. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Department called Police Officer Erickson Ramirez, Captain Seth Lynch, and Captain Keith Walton as witnesses. Respondent called [REDACTED] as a witness and Respondent testified on his own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review.

DECISION

After reviewing the evidence presented at the hearing, and assessing the credibility of the witnesses, I find Respondent guilty of Specifications 1, 2, 3, and 5, and not guilty of Specification 4.

FINDINGS AND ANALYSIS

Shortly before midnight on July 4, 2014, Respondent, who was off-duty at the time, was outside his apartment building on [REDACTED] [REDACTED] Respondent was with his girlfriend, [REDACTED], and their infant daughter was in a stroller. There were many people on the block, some shooting off fireworks, some drinking alcohol. Several Impact officers arrived on the block to disperse the crowd.

Officer Erickson Ramirez testified that he was one of the Impact officers who responded to a condition involving a disorderly group at the location. Upon arrival, the officer observed fireworks being set off from a big box in the middle of the street. He also noticed that there were many people in the area, some of whom were barbecuing and some drinking alcohol. The sergeant on the scene instructed the officers to disperse the crowd once the fireworks in the street were done exploding. After the fireworks stopped, Officer Ramirez approached Respondent, who was standing in front of an apartment building with a woman who had a baby in a stroller, and asked him to disperse. Officer Ramirez testified that Respondent stood there with his arms crossed and refused to go inside the building. Instead, Respondent asked to speak to a supervisor. (Tr. 18-19, 31-32, 38-39)

According to Officer Ramirez, he suspected that Respondent might be an MOS, and asked him if that was the case. Respondent confirmed that he was, but said his identification was upstairs in his apartment. Officer Ramirez testified that he noticed that Respondent's eyes were bloodshot. However, the officer also testified that he did not see Respondent drinking, he did not smell alcohol on Respondent's breath, Respondent's face was not flushed, and Respondent was not unsteady on his feet. (Tr. 20-22, 43, 50)

Officer Ramirez crossed the street to ask Lieutenant Lynch for assistance. When Officer Ramirez explained the situation to the lieutenant, he did not describe Respondent as being "drunk". (Tr. 50)

Captain Seth Lynch, who was the Impact lieutenant at the time of the incident, testified that at the request of Officer Ramirez he walked over to speak with Respondent. Respondent confirmed that he was an MOS, but when the lieutenant asked Respondent to provide his Department identification card, Respondent said that he didn't have it with him. (Tr. 60-61) Captain Lynch testified that Respondent seemed "slightly intoxicated." Respondent had a medium-to-strong odor of alcohol on his breath, his face was sweaty and slightly red, his eyes were red, and his speech was slow. During conversations in front of the building and up in the apartment, Respondent was less than cooperative and "slightly difficult" in answering questions. (Tr. 63-67, 74-75) However, Captain Lynch also noted that Respondent was not loud and boisterous, swaying, or unsteady on his feet. (Tr. 86) These observations were recorded on a Fitness for Duty Report prepared by the lieutenant, in which he concluded that Respondent was "unfit for duty." (Dept. Ex. 1)

Since there was a dispute involving an off-duty member of the service, Deputy Inspector McCormack and Captain Walton were summoned to the scene. The lieutenant observed the Inspector ask Respondent for his identification card, which he immediately provided. (Tr. 65) According to Captain Lynch, the Inspector and Captain Walton discussed a "change in duty status" for Respondent. The lieutenant and Captain Walton then accompanied Respondent upstairs to his [REDACTED] in order to secure Respondent's firearm. There was a teenage male inside the apartment. Even though Respondent was considered to be "unfit," he was allowed to check several areas inside

the apartment for his firearm, and eventually retrieved it from on top of a foot locker in the bedroom. Respondent handed the firearm to Captain Walton. (Tr. 65-70, 93-94)

Captain Keith Walton testified that he arrived at the scene with Inspector McCormack and spoke with Lieutenant Lynch. The lieutenant informed them that Respondent had refused to relinquish his Department-issued identification, so they crossed the street to speak with him. According to Captain Walton, the Inspector did most of the talking, while the Captain watched and listened from about 18 inches away. The Inspector asked for Respondent's identification card, which he promptly provided. (Tr. 125, 150)

Captain Walton testified that he smelled a strong odor of alcohol on Respondent's breath, and noticed that Respondent's face was a little red and his eyes were watery, so that the Captain could "definitely see that he was drinking." The Captain also noted, however, that Respondent had steady coordination, his speech was normal, and his eyes were not bloodshot. (Tr. 125-126, 132-134) These observations were recorded on a separate Fitness for Duty Report filled out by the Captain, where he also found Respondent to be "unfit for duty." (Dept. Ex. 2) On that report, Captain Walton also indicated that Respondent's attitude was antagonistic and combative in that "he wasn't offering his general compliance," though the Captain acknowledged that this conclusion was based on the information provided by Lieutenant Lynch and Officer Ramirez, rather than personal observations. (Tr. 152) From his own interaction with Respondent, the Captain described Respondent as "passively combative," acting as though he "didn't want to be bothered." Captain Walton attributed this behavior to the officer's alcohol consumption since Respondent otherwise did not seem unprofessional. (Tr. 153, 156)

After deciding that Respondent would be suspended, Captain Walton and Lieutenant Lynch accompanied Respondent upstairs to retrieve his firearm. A young male was inside the living room of the apartment. Respondent looked around and eventually retrieved his firearm from on top of a footlocker in the unlocked bedroom. Lieutenant Lynch immediately took possession of the firearm, and then handed it to the Captain, who did a preliminary inspection of the gun at the scene, and a more thorough inspection at the precinct. Captain Walton testified that the gun was a 9mm Smith and Wesson, with one round in the chamber and only 13 in the magazine. (Tr. 126-129, 155, 160)

██████████, who has lived with Respondent for four years at ██████████, testified that she and Respondent were outside their building talking with five or six neighbors; their daughter, who is now two-years old, was also with them in a stroller. ██████████ stated that there was no alcohol present, and Respondent was not drinking that night. (Tr. 99) Three officers appeared, yelling for them to go inside or they would be arrested. (Tr. 100) One of the officers pushed a civilian, and Respondent questioned the officer about it. Respondent also asked the officers, in a normal volume, why there was a need to go inside. (Tr. 102-103) ██████████ then went upstairs with Respondent, followed by some officers. They all entered the apartment, and the officers and Respondent left a couple of minutes later. ██████████ testified that Respondent's son, who was 17 or 18 years old at the time, was inside the apartment as well. She also noted that there was no lock on the bedroom door. (Tr. 105, 114)

Respondent testified that earlier that evening he was hanging out behind his apartment building, where he and others were having a cookout. Respondent, who was

on vacation at the time, was involved in organizing the cookout and claimed he drank only about one beer. Shortly after 2300 hours, some women he was with wanted to see more fireworks, so they went around to the front of the building. Respondent was also with his girlfriend, Ms. [REDACTED] their seven-month old daughter, and a couple of other women. (Tr. 166-169)

As they stood in front of the building, three officers approached them and told them to go inside or they would be arrested. Respondent testified that two of the officers were female, and the third was Officer Ramirez. As the female officers were pushing the elderly women through the building door, Officer Ramirez was engaged with a male at the location, putting him against the wall as if to handcuff him. Respondent asked Officer Ramirez what he was doing, and the officer repeated that the people needed to go upstairs or they would be arrested. Respondent told Officer Ramirez that he should not tell people that, and asked to speak with his supervisor. (Tr. 169-171)

According to Respondent, Lieutenant Lynch arrived and said only that Respondent should stand where he was. After about two or three minutes, the lieutenant asked for Respondent's identification, which he provided. Deputy Inspector McCormack and Captain Walton then arrived, and again asked for Respondent's identification, which he provided. (Tr. 172-173, 190) The ranking officers indicated there would be a change of duty status for Respondent, and requested his firearm. Although Respondent asked them to wait outside, they followed Respondent upstairs and into his apartment, and then proceeded through his bedroom door which he claimed he had to unlock with a key. (Tr. 173-176, 191)

Respondent acknowledged that his firearm was on top of a footlocker, about two feet from his safe. He also admitted that the gun was not fully loaded. Respondent explained that he had just cleaned his firearm earlier that day, and placed it on top of the locker when he was done, with two rounds left out. (Tr. 176-177) Respondent was then driven to the 46th precinct, where he asked to take a breathalyzer and make a GO-15 statement; Respondent's requests were denied. (Tr. 179)

Specification 1 (Identification)

It is alleged that Respondent failed to provide his identification to Lieutenant Lynch when requested to do so. Captain Lynch testified credibly that when he asked Respondent for his identification card, Respondent stated that he didn't have his identification with him. That claim proved to be false when, moments later, Respondent produced his identification for Deputy Inspector McCormack. Although counsel for Respondent challenged Captain Lynch's credibility based on his inability to recall certain details regarding the fireworks that were being set off that night, this tribunal finds that his interaction with Respondent was likely to have been the more memorable event, and credits his testimony that Respondent refused to provide his identification. Further, in the Fitness for Duty report he prepared, the lieutenant included a statement that Respondent "failed to produce ID upon request," thereby dispelling any notion that this was a recent fabrication. I reject Respondent's self-serving claim to the contrary, and find Respondent guilty of Specification 1.

Specification 2 (Unfit for Duty)

It is alleged that Respondent was unfit for duty due to having consumed an intoxicant. Respondent's girlfriend, [REDACTED] testified that Respondent had not been drinking. However, her bias in favor of Respondent gives this claim limited value, particularly since Respondent, himself, admitted to drinking about one beer. Meanwhile, the observations of each of the Department's witnesses provides credible evidence that Respondent had been drinking, and how that drinking impacted on his fitness for duty.

Officer Ramirez noted that Respondent's eyes were bloodshot, but otherwise didn't observe the traditional signs of intoxication. Captain Lynch testified that based on his observations, Respondent was "slightly intoxicated." In addition to noting that Respondent's eyes were red, he also observed alcohol on the breath, a sweaty and slightly red face, and slow speech. However, Captain Lynch also testified that Respondent was not loud and boisterous, and was not unsteady on his feet. Captain Walton also concluded that Respondent was unfit due to alcohol consumption, though his observations were mixed as well. On the one hand, he smelled a strong odor of alcohol on Respondent's breath, and noticed that Respondent's eyes were somewhat watery and his face a little red. On the other hand, the Captain also noted that Respondent had steady coordination, his speech was normal, and his eyes were not bloodshot.

Further, the Department's witnesses were unanimous in commenting on Respondent's combative behavior during the incident. Officer Ramirez testified about how Respondent's hands and arms were crossed as he refused an order to disperse and insisted on speaking with a supervisor. Captain Lynch testified that Respondent was antagonistic during their conversation, including his failure to produce his identification.

Captain Walton similarly concluded that Respondent was antagonistic, though the Captain acknowledged that his conclusion was based more on what was reported to him by the officer and lieutenant at the scene, rather than his own observations. Captain Walton described Respondent as “passively combative,” which he attributed to Respondent’s consumption of alcohol.

Having listened carefully to the testimony of the witnesses, this tribunal credits the conclusions of Captains Lynch and Walton that Respondent was unfit for duty as a result of drinking alcohol. Both Captains came across as extremely professional on the witness stand, and appeared to have genuinely concluded that Respondent was unfit for duty based on their observations. Even if Respondent wasn’t intoxicated to the point where he was unsteady on his feet, the credible evidence suggests that the alcohol he consumed affected his behavior in a way that rendered him unfit for duty. Respondent may well have had some concerns regarding how Officer Ramirez was treating the people on the block, but Respondent did not use sound judgment in his response. Aside from ignoring the uniformed officer’s direction to disperse, Respondent was combative and refused to produce his identification to the lieutenant on the scene. When it came time to retrieve his firearm, Respondent didn’t know where it was and had to search his apartment before locating the weapon, which might be a further indication that his behavior was being adversely affected by alcohol. The credible evidence has established that Respondent was unfit for duty due to his consumption of alcohol, and I find him guilty of Specification 2.

Specifications 3-5 (Firearm)

It is alleged that Respondent failed to properly safeguard his firearm, left the firearm unsecured in an area where a juvenile had access to it, and failed to ensure that the firearm, a 9mm pistol, remained fully loaded as required by the Patrol Guide.

Section 204-08 of the Patrol Guide requires an officer to safeguard his weapons at all times. It is undisputed that Respondent's firearm was not properly secured. Captains Lynch and Walton both testified that Respondent did not even know exactly where his firearm was, and had to check several areas before locating his weapon on top of a foot locker in the bedroom. In his testimony, Respondent acknowledged that the firearm was not locked away in his safe, but rather was on top of the foot locker, where he had left it after cleaning the gun earlier that day. Even if the firearm was only temporarily unsecured because it had just been cleaned, Respondent's conduct still ran afoul of the Patrol Guide. The credible evidence has established that Respondent's firearm was not properly safeguarded, and I find him guilty of Specification 3.

Even though it has been proven that Respondent failed to safeguard his firearm under Specification 3, more must be shown in order to sustain a guilty finding under Specification 4. There is an aggravating factor associated with the latter charge, namely that the weapon was unsecured in an area where a "juvenile" had access to it. In New York, a juvenile is defined as someone under the age of 16. See *Patrol Guide*, section 215-09. The only evidence presented here as to the age of the teenager who was inside Respondent's apartment came from [REDACTED] her undisputed testimony was that the individual was 17 or 18 years old at the time. Strictly speaking, the individual in question was not a juvenile at the time of the incident. This tribunal is not inclined to take a more

expansive view of what constitutes a juvenile, particularly where Specification 3 adequately addresses the concern regarding an unsecured firearm. The credible evidence has failed to establish that Respondent allowed a *juvenile* access to his firearm, and I find him not guilty of Specification 4.

With respect to Specification 5, section 204-08 of the Patrol Guide provides that members of the service authorized to carry a 9mm pistol must ensure that one round of ammunition is in the chamber, and 15 rounds in the magazine, at all times. Here, Captain Walton testified credibly that when he inspected the magazine of Respondent's 9mm pistol, there were only 13 rounds in the magazine. Respondent, himself, conceded that the magazine was not fully loaded; he explained that when he reloaded the weapon after cleaning it, he "left out two rounds." The credible evidence has established that Respondent failed to ensure that his 9mm service firearm contained the required 16 rounds, and I find him guilty of Specification 5.

PENALTY RECOMMENDATIONS

In order to determine an appropriate penalty, Respondent's service record was examined. See *Matter of Pell v. Board of Education*, 34 NY 2d 222 (1974). Respondent was appointed to the Department on August 30, 1993. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respondent has multiple prior findings against him, and was twice placed on dismissal probation. In 1998, Respondent was warned and admonished for being absent from his residence without permission while on sick report. In 2005, Respondent forfeited a combined 66 penalty days and received a penalty of dismissal probation for

stalking and for non-compliance with orders in connection with three separate cases. In 2006, Respondent forfeited 16 vacation days for obtaining car insurance using a false address. More recently, in 2012 Respondent forfeited a combined 60 penalty days and nine hours, and again was placed on dismissal probation, for failing to notify roll call of his adjusted schedule, and for multiple offenses, most of which were connected with scheduled appearances in court.

Respondent has been found guilty of four of the five specifications based on his conduct on July 4, 2014. This tribunal is mindful that Respondent was on vacation at the time, but his alcohol consumption affected his fitness for duty, as evident from his poor judgment in his interactions with other MOS at the scene. Additionally, Respondent failed to safeguard his firearm, which also was not fully loaded as required. For this conduct, the Department Advocate recommends that Respondent forfeit 30 days already served on pre-trial suspension, and that he be placed on one-year dismissal probation. This tribunal agrees with that recommendation.

In *Disciplinary Case No.* [REDACTED] a two-year officer with no disciplinary history negotiated a penalty of 30 vacation days, breath-testing, counseling, and one-year dismissal probation for being unfit due to intoxication, refusing to present her identification card, failing to make a notification following a physical altercation, and making misleading statements during a Department interview. In *Disciplinary Case No.* [REDACTED] a 10-year officer with no disciplinary history negotiated a total of 60 penalty days, breath-testing, counseling, and one-year dismissal probation after being found unfit for duty due to intoxication, failing to safeguard his off-duty firearm by

accidentally firing one round into the street, failing to ensure his service firearm was fully loaded, and failing to remain at the scene.

After considering the totality of the issues and circumstances in this matter, Respondent's disciplinary history, and the relevant precedent, I recommend that Respondent's penalty be the forfeiture of 30 days already served on pre-trial suspension, and that Respondent be DISMISSED from the New York City Police Department, but that his dismissal be held in abeyance for a period of one (1) year, pursuant to Section 14-115(d) of the Administrative Code, during which he remains on the force at the Police Commissioner's discretion and may be terminated at any time without further proceedings.

Respectfully submitted,



Jeff S. Adler
Assistant Deputy Commissioner Trials





POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner Trials

To: Police Commissioner

Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER SEAN INMAN
TAX REGISTRY NO. 903141
DISCIPLINARY CASE NO. 2014-12067

Respondent was appointed to the Department on August 30, 1993. His last three annual performance evaluations were as follows: he received a 3.0 overall rating of "Competent" in 2012 and 2014, and a 3.5 overall rating of "Highly Competent/Competent" in 2013. He has received one medal for Excellent Police Duty. [REDACTED]

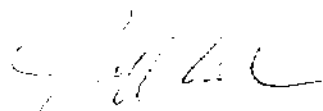
Respondent has been the subject of multiple disciplinary matters. In 1998, he was warned and admonished for being absent from his residence while on sick leave without permission from the Medical Division. In 2005, he pled guilty in three separate disciplinary cases to stalking, failure to comply with orders, engaging in prohibited misconduct, performance issues on duty, and activity log misconduct. He forfeited under suspension thirty-five days without pay, was suspended for an additional thirty-one days, and was placed on one-year dismissal probation. In 2006, Respondent pled guilty to registering his car and obtaining insurance using a Rockland County address when he resided in [REDACTED] and forfeited sixteen vacation days.

In 2012, Respondent was found Guilty of failing to notify roll call of his adjusted vacation selection when he was notified to appear at a traffic hearing, causing a dismissal of the summons; failing to comply with an order to notify roll call personnel and the Integrity Control Officer of the dates of his adjusted vacation; on another date, failing to timely appear in criminal court following notification of a scheduled appearance; and failing to safeguard his Department parking permit, resulting in loss of said permit. In the same matter, Respondent pled guilty to (i) failing to notify his command of his release from court, as required; (ii) on another date, failing to sign out of court and failing to notify his command of his release; (iii) failing to document his assignment or

whereabouts for the remainder of his tour in his activity log after being released from court; and (iv) failing to safeguard and inventory contents of a vehicle which contained a prisoner's property. Respondent was suspended for thirty (30) days, forfeited thirty (30) vacation days and nine hours and was placed on one-year dismissal probation.

Respondent also has a substantial monitoring history. He was placed on Level 1 Monitoring from June 19, 2003 to July 22, 2003 for "negative performance/behavior" and then on Level 2 Disciplinary Monitoring from July 22, 2003 to August 10, 2005 for "continued poor performance." He was again placed on Level 2 Disciplinary Monitoring from June 20, 2006 to April 3, 2008 following the end of his first dismissal probation. Another Level 2 Disciplinary Monitoring took place from January 28, 2010 to September 11, 2012 due to Charges and Specifications. Finally, Respondent was again placed on Level 2 Disciplinary Monitoring on August 29, 2014 in connection with the Charges and Specifications that are the subject of the instant matter. That monitoring remains ongoing. Also in connection with the instant matter, Respondent was suspended from July 5, 2014 to August 3, 2014 and modified from August 4, 2014 to October 18, 2015.

For your consideration.



Jeff S. Adler
Assistant Deputy Commissioner Trials